

servitude. If this be admissible, there is no limitation to the right, and the principle, if carried out, would authorize Congress to reserve to itself all the powers of legislation for the new States, or so to fetter it with restrictions, as to leave to them the mere shadow.

The impracticability of enforcing such a restriction in opposition to the interest and wishes of the citizens, is a strong, if not a conclusive argument against the soundness and correctness of the principle. If Indiana, or any other of the States on which the restriction has been imposed, determined to throw it off and introduce slavery, by what means would the Government enforce it? An army would find nothing to war against, and a law in violation to the constitutional rights of the people and opposed to their wishes and interest, would be, and must necessarily prove wholly inoperative.

The question is one of interest to us mainly as it affects the balance of power in the Government of the United States, that is even now against us and the slaveholding States owe it to themselves and to posterity to resist its increase by any possible means, as an open, undisguised and unconstitutional oppression on the States hereafter to be admitted into the Union, and as destructive of that balance of political power so necessary in a country like this to the healthful operations of the government.

The Missouri Question agitated this Union throughout its whole extent, and it was hoped that the principle on which it was compromised had put it to rest forever. But the non-slaveholding States as if impatient for the strife, and eager for the contest regardless of their constitutional obligations and the compromise solemnly entered into, again revive it in the form of the Wilmot Proviso. But it has again been quieted by the rejection of the proviso by the Senate of the United States. It furnishes pregnant evidence, however, that they will never suffer any occasion to escape which will afford an opportunity of lighting up this fire-brand.

The interests and sympathies of the slaveholding States are in union, and they require nothing but firmness, concert of measures, and unity of action, to command respect for their rights. It requires no spirit of prophecy to foretell that sooner or later we shall have to meet and finally decide this question, and we ought to prepare for it.

I earnestly recommend to your consideration the principles of the resolutions of the Legislature of Virginia, as a correct exposition of our rights, and as pointing out the proper principle of action.

Connected with this subject, is another of deep interest to the slaveholding States, particularly the border States—but the evil is felt throughout them all. I mean the protection given to our fugitive slaves in some places, as in Pennsylvania, under the color of law, and almost every where in the non-slaveholding States by a thoughtless, reckless fanaticism, which wields a power greater even than the law—and is extended also to those that have been seduced or stolen from us, and to the seducer and thief. I am not aware of any means by which we can protect the individual rights of our citizens against the lawless combination of the citizens of another State, but our Statutes makes it a felony to inveigle, steal and carry away any slave from his owner, and if one offend against these laws and fly to another State, we have under the Constitution of the United States, right to demand of the Executive of the State in which he has taken refuge, his arrest and delivery. The right has been denied in some instances, and in others the culprits have been even more securely protected by the power to which I have before referred. The laws are impotent and direct force is prohibited by the Constitution. Is there no remedy? It may be ineffectual, but I submit to your consideration, whether a liberal increase of the contingent fund to be disbursed by the Executive in such a way as he thinks fit to bring these offenders to justice, would not be advisable.

I transmit, herewith, at the request of the Legislature of Missouri, certain Resolutions of that body, by which their Senators and Representatives in Congress are requested to use their best exertions to procure a modification of the laws and regulations of the Army, by which the officers and soldiers may be put on a footing of equality.

I submit also herewith, a communication from Count Schoisiel, the Consul of France for South Carolina, &c., on the subject of the claims of the Legionaries of Luxemburg against the State, for services rendered during the war of the Revolution, which has for its object, with a view to the settlement of that long standing claim, the payment of the money to the French Government, on its guaranty against all future claims from the Legionaries and their heirs, and I recommend it to your special consideration.

I shall have occasion at a future day, to bring to your notice several matters of a local nature. The most important of which relates to the Rail Roads which have been projected in the State—there are also other matters, the facts connected with which have not been put in my possession.

#### MEXICO.

The war with Mexico is of deep and exciting interest to every portion of the United States, and South Carolina participates largely in it. In its commencement, the ostensible object was to repel the intrusion of the Mexican army into the territory acquired by the admission of Texas into the Union. Since then, other causes have been relied on as a justification for pushing the war into the heart of the Mexican country, the most prominent of which was the neg-

lect of Mexico to pay a sum of money stipulated for by treaty; and that, under some circumstances, would, according to the laws of nations, have been a justifiable cause of war, as when having the means a State pertinaciously refused to pay an acknowledged demand, but in the condition that Mexico then was, torn to pieces by domestic dissension and strife, subject to frequent revolutions, the people of the United States would never have consented to have made that alone the cause of war against a sister Republic. We must then look back to the intrusion upon our territory as a justification.

If an enemy assail us, we are justified by the laws of nature, and of nations, not only to repel it, but so to disarm him, or to put him into a condition from which we might reasonably suppose he would cease to annoy us. Texas, standing alone, had driven Mexico out of the field, and actual war between them had long ceased, and after the lessons which she had been so severely taught at Resaca de la Palma, Palo Alto, and Matamoros, it can hardly be supposed that she would have been eager again to try her strength with the arms of the United States, and the honor and interest of the country would have been vindicated, by arresting the war then, at least until, in her folly and madness, she should renew the contest. To "conquer a peace," the war has been carried into the heart of the country at an immense cost of blood and treasure. Her armies have been swept before us like grass before the reaper's scythe. Her seaports, many of her cities, and her great capital are in our possession, and yet there is no peace. We have tendered to her overtures intended as pacific, which have been indignantly rejected, and the nation driven to desperation as is one man armed against us. When and how is this peace to be conquered? If by the conquest and permanent occupation of the country, it is worthy of the grave and solemn consideration of the people of the United States whether the fee simple is worth in dollars and cents, the cost of the conquest. Suppose it conquered, the diversity in our language and religion would be an inseparable obstacle to their cordial amalgamation with us, and until their remembrance of what they at least will assume to be the wrongs we have done them, shall have passed away, a large army will be necessary to keep them in subjection.—Apart from these difficulties, what benefit are we to derive from the conquest? A communication between our North-Western possessions and the Pacific Ocean is certainly very desirable, but beyond this, we have already territory enough to satisfy the demands of our population for many generations to come—none is hardly desirable, as we are already cavilling amongst ourselves about the spoils of the anticipated victory which may lead to a contest more disastrous than the war itself. It becomes then a question of serious import and great delicacy, to determine what course, in this juncture, the Government of the U. States ought to pursue. It ought not, and I trust will not, do any act calculated to compromise its interest, honor, or dignity—but its object and end, in the prosecution of this war, if there be any other than the attainment of honorable peace, is yet shut up in the closet, and I trust I shall not be deemed impertinent in making some suggestions in relation to it. The enemy has already been severely chastised for her aggressions upon us, our arms have met with no reverses, but have triumphed in many a bloody field, always against fearful odds in numbers. We are in possession of her seaports, and I venture to suggest, as worthy of consideration, whether we should incur any odium, and whether we should not consult our interest and dignity by withdrawing our army from the interior of the country, and throwing around a line of circumvallation which would cut her off from all communication with the rest of the world—is not as well calculated to produce what ought to be the desired result, as laying waste the country with the sword, and at a less expense of blood and treasure.

I have ventured these remarks, in the belief that you will receive them as coming from one having no feelings or aspiration inconsistent with the interest and glory of the American people, and with the knowledge that you have no immediate power over the subject, or that you would feel any disposition improperly to interfere with the legitimate powers of the General Government in the prosecution of the war, but that your voice is entitled to be heard and must command respect, if you think proper to give it utterance.

I cannot dismiss the subject of this war without some notice of our own Palmetto Regiment—made up of some of the best blood and choicest spirits of the State.—They have won for themselves, our common country, and their native State, a measure of renown unsurpassed by any army in any age or country. A bright page is reserved for them in the history of this war, and when the battles of Contreras, Churubusco, and Chapultepec shall be reviewed by after ages, they will be found to compare with the most brilliant achievements of ancient or modern times. The small remnant that remains of this gallant Regiment is melancholy proof of their courage and devotion. The splendor of its triumphs is reflected back on the State, and she will not forget that it imposes obligations which she cannot forego. The widows and children of the fallen ought not to be thrown off to depend on the cautious and measured charity of the General Government. Let them be our peculiar care. Nursed and sustained by those bound to them by the

ties of kindred and common sympathy, they will be exempted from the chills and blighting influence of dependence on strangers. I can summon to the aid of this suggestion no greater or more imposing influence than the sentiment expressed by Bridadier General Shields, in a letter to me, announcing the fall of the lamented Colonel Pierce M. Butler at the battle of Churubusco, and applying the principal to the families of all who have fallen in this contest. In speaking of him, he remarks, "permit me, Sir, to say in conclusion, that I trust the gallant State, upon which his death has shed such lustre, will supply the place of guardian and protector to his widowed family."

DAVID JOHNSON.

Columbia, Nov. 23, 1847.

## THE BANNER.



ABBEVILLE C. H., S. C.:

Wednesday, Dec. 8, 1847.

### The Gallant Dead.

We learn from an authentic source that the remains of Col. Butler, Lts. Moragne, Stewart and Adams, are on their way home and may be expected soon. We trust that the friends of Lts. Moragne and Stewart will give notice at what time the remains will reach the District, so suitable honors can be paid them.

### Lt. W. C. Moragne.

The friends of Lt. W. C. Moragne will be gratified to learn from a letter received in this place by the last mail from New Orleans, that he is fast recovering his health and will soon arrive in the District.

### From Mexico.

We have by the last mail received several letters from friends in Mexico, but as the subject matter has been anticipated by publication of the same in our own and other papers, we shall only give a few extracts of them in our next. The letters which will be found in another column of this paper, have been kindly furnished us, one by Dr. J. P. Barrett, which is from Captain Marshall, and the other by General Hodges, from his son, who was left in the hospital at Puebla, both will be read with interest by those who have friends in the army.

The friends of Captain Samuel McGowan will be pleased also to learn that he was in good health at the latest dates.

### From Columbia.

By a letter from a friend in Columbia, we learn that on the 4th inst both Houses went into an election for Chancellor, to fill the vacancy occasioned by the death of Chancellor Harper. There were three ballots, and no Candidate having received a majority, no choice was made. The following is the result:

Dargan, - - - - -	47	57	69
Memminger, - - - - -	38	46	48
Wardlaw, - - - - -	27	21	18
Dessaure, - - - - -	28	22	17
Patterson, - - - - -	18	6	0

Nothing of much importance has been done yet in the Legislature and there seems to be a disposition not to do much this session. We intended to give a synopsis of the proceedings up to the latest dates, but deeming the letters from our friends in Mexico of greater interest, we have given them to the exclusion of other matters.

### Letters from our Volunteers.

NATIONAL PALACE, MEXICO, }  
26th October, 1847. }

My Dear Sir:—While in Puebla I wrote you a letter in which I attempted to give you a description of the country from Vera Cruz to that place, as well as my opinion of the people we are at war with, physically and morally, but I fear you will not receive that letter, as all communication had in a great measure ceased with the coast.

I now write to you from the National Palace of Mexico, with one of the windows of my room opening upon the far famed Botanic Garden of Mexico, which by the by is nothing but a humbug, for there is nothing in it, but what I have seen before, with the exception of a tree, which the Mexicans say was planted by Montezuma himself, and that there is none other in the world like it. The Americans now about 8,000 strong are actually revelling in the Halls of the Montezumas—It would require a dozen pages for me to tell you by what means the American Army is now in quiet possession of the capital, to tell you how much our little army has suffered since we entered the Valley of Mexico, to tell you how much, (I can say without vanity) our own Regiment has poured out upon the altars of their country

yea! for the honor and glory of our beloved State; life's last drop of blood—but all of this you will have long since seen in the public Journals, more eloquently and accurately described, than my feeble pen can do. I must however be allowed to say something about the part performed by the Palmetto Regiment, as well as the part my Company performed with that Regiment.

Before proceeding to give you an account of the last battles that has been fought in the Valley of Mexico and the part performed by our regiment; I feel it my duty, though painful as it is,—to inform you that Edward Watson is no more. I had him decently buried by the side of Lt. Stewart, who died on the 28th of last month, after a protracted illness of six weeks. He died of the same disease—thus has fallen two as gallant spirits as I had in my Company.

In turning from this mournful subject, I will not carry you back to the battles of Contreras and Churubusco, but will speak of the battles of Chapultepec and the Garita.

On the 10th September a Volunteer-Storming-Party was called for, from our Regiment to consist of seven men. This party was nothing but a forlorn hope, whose duty was to go ahead, plant ladders, scale fortifications, and drive the enemy from the cannon. It seemed from this duty, that nothing but inevitable death awaited each man. The Regiment was assembled, and the call made, and Richard Watson shouldered his musket, and was the first man to tender his services,—Eldred Simpkins was the next, Jas. A. Norwood of my Company was the fourth, and here there was a pause for some minutes until Stanford of Columbia came out. Here the volunteering stopped for some time, until finally a man from Company K came out, and the others had to be detailed. I felt proud that my Company furnished three out of seven, and more especially when I saw who they were. This party was put under the command of Capt. Reynolds of the marines with some thirty others. On the morning of the glorious yet bloody 13th we were aroused by the call "to arms." You could see written on every man's countenance a fixed determination, that seemed to say "Victory or death;" for every man knew what had to be done, and that nothing but unflinching courage could accomplish the object. The order for the march was given at 8 o'clock A. M. and we took the road that lead from Tacubaya to the city—this road ran by the pass of Chapultepec and here it branched, the right to the Garita Belen and the left by St. Cosme within one hundred yards of the pass of Chapultepec was a masked battery, which had to be carried by the storming party, supported by the Light Battalion and Rifles. When within three hundred yards of this battery the enemy opened a dreadful fire of grape and cannister upon us both from this fort and the Castle upon Chapultepec, saying nothing about the balls from ten thousand muskets, all of which fell amongst us like a shower of hail. Here it was that Sergeant Mattison was shot dead by my side, and with him fell one of the most efficient and gallant non-commissioned officers in the Regiment. We received orders in a few minutes to take a wall at the foot of Chapultepec, in rear of which was stationed some three thousand Mexicans pouring into our ranks a dreadful fire. We no sooner received the order than with a shout, we charged across a plain that was intersected with some half dozen ditches with from three to five feet water—this however was no impediment, we would plunge into them and then scramble out on the other side, and so on until we reached the wall. A great many of our regiment was killed and wounded in this charge, for so thick fell the grape and cannister, that death seemed to await each man; nothing but the vigorous charge we made saved us; for when we arrived near the wall the enemy began to give way and by the time we effected a breach and commenced charging through, the Mexicans were retreating in the wildest confusion.—We then commenced charging up the hill, driving the enemy before us, who, we evidently saw were panic stricken, whilst Gen-Pillow's Division came in on the opposite side.

The Voltigeurs were the first to enter and our Regiment, the second as well as our flag was the second to float from the ancient Halls of the Montezumas.

In the mean time the storming party with the Light Battalion rushed on and in five minutes took the masked battery. Here it was that Richard was shot down while gallantly rushing on with his comrades, and continued to fire upon the enemy until the

fort was taken. I am told by the officer who commanded him, that he signally distinguished himself for his coolness and self-possession, during the hottest part of the battle. Here also fell Jno. Patrick while mounting a ladder to scale the fort—a gallant death he died upon the ramparts of the enemy. Norwood and Simpkins, who were in the thickest, bore themselves gallantly throughout the whole struggle, and came off unhurt—the remaining four being killed and wounded.

After remaining in the Castle about half an hour, we marched down to the base of the hill where Gen. Quitman, had halted the other portion of his division, to rest while he would make a disposition of all his forces for the intended attack upon the Garita. In this disposition, we expected to fall back to our proper position, which was the centre of the Division; but no; it seemed that we were destined to be put again in a position to win fresh laurels, but at great expense of blood and life.

We were placed in front of the whole division, with four Companies of Rifles with us. We proceeded on towards the Garita protecting ourselves as much as possible from the fire of the enemy, by the arches of the aqueduct, which by the by was no protection at all. When within one hundred yards of the Garita, the order was given to charge and as usual, we charged with a yell, under a fire that mowed us down like hay, and when we arrived at the breastworks some few devils kept shouting until we commenced scaling the works, and then it would have done you good to see us in our turn give them our fire. It appeared for ten minutes that not a ball was lost, as they fell like sheep. The Palmetto Banner was the first to be planted on the enemies works, and I am proud to say, was the first American Flag that was planted within the city, and Company E has the honor of being the first Company that formed under that Flag in the charge upon the Garita.

From this point the enemy retreated to the citadel, which was situated about three hundred yards, and here they concentrated all their heavy artillery, and the best troops they could command—as soon as we completely possessed ourselves of the garita, the enemy opened upon us with their artillery, and musketry, preferring long law, to holding their fire until they can see the white of the enemies eye. Our Regiment was ordered forward to drive the enemy from the arches of the aqueduct, while executing this movement, the enemy redoubled their fire of grape and cannister which was very destructive—Here we suffered more than in any previous engagement—Lieutenant John B. Moragne fell close by me with a musket ball through his breast, and as soon as he struck the ground a cannon ball tore off his head—I have lost much in his death, for he was not only a gallant but efficient officer, never swearing once from duty. Here also fell William B. Devlin with a ball through his head, he was one of my best soldier's, and has suffered more to serve his country than any man would have done under the circumstance. Here also fell some as gallant spirits as ever were in the Edgfield company.—Sergeant Blocker fell while gallantly leading his company, the cannon ball that killed him, killed three others. This company has suffered much in the battles, and deserve well the name of the "96" Boys, I regret exceedingly that Capt. Brooks could not have survived the wound he received at Churubusco, he there won for himself imperishable honors for his coolness and gallantry during the hottest of the engagement. We continued to hold this position until Captain Drum ceased firing, on account of his fuses having given out General Quitman saw if we remained in this position, we would be destroyed, and ordered us to fall back and occupy the enemies works—while falling back Major Gladden received a wound in his thigh, which disabled him, the command of the Regiment fell upon my shoulders, I was at one time ordered by General Quitman to occupy some arches; again towards the close of evening I was ordered to defend the breast works, we remained in this position until night stopped the firing on both sides.

During this engagement the Pennsylvania Marines and New Yorkers never to my knowledge crossed the Garita, and not more than one in twenty were injured.

The night was occupied in throwing up breast works, and mounting cannon, and when day light came, we expected the enemy to open upon us with their artillery, but instead of this, profound silence reigned at the citadel, not a soul was to be seen. In a few moments a white flag was seen to issue from the citadel supported by a couple of